

UNITED STATES BANKRUPTCY COURT
DISTRICT OF PUERTO RICO

IN RE:
HECTOR H PENA OTERO

CASE NO. 10-06964-SEK

CHAPTER 13

DEBTOR (S)

**TRUSTEE'S UNFAVORABLE REPORT
ON PROPOSED PLAN CONFIRMATION UNDER §1325**

TO THE HONORABLE COURT: NOW COMES, José R. Carrión, Chapter 13 Trustee, and very respectfully alleges and prays:

This is the Trustee's position regarding the request, under **11 U.S.C. §1325**, for the confirmation of a Chapter 13 Plan.

Debtor(s)' Income: **Above Median / 60 months commitment period.**

Gen Unsecured Pool: **\$0.00**

The **LIQUIDATION VALUE** of the estate has been determined in **\$0.00**

R2016 STM. \$3,000.00

TOTAL ATTORNEYS FEES THRU PLAN: \$2,324.00 Fees paid: \$0.00 Fees Outstanding: \$2,324.00
--

With respect to the proposed (amended) Plan dated: **January 07, 2011** (Dkt 29).

Plan Base: **31,125.00**

The proposed (amended) plan can not be confirmed because it has the following deficiencies:

- Adequate Protection Payments [§361 & §363 & §1325(a)(6)]: Fails to state the insurance premium amount to be pay under the plan.

Debtor has failed to submit insurance quote for the vehicle financed by Pentagon Credit. The plan sufficiency cannot be determined until Debtor provide the insurance quote.

- Debtor(s) fails to comply with Income Tax Return filing requirements of §1308. [§1325(a)(9)]

Debtor has failed to provide a stamped copy of the 2006 income tax return and evidence of filing 1040PR for the years 2006-2009.

Due to the above described deficiencies in the proposed plan the Trustee Objects to the Confirmation of the same.

CERTIFICATE OF SERVICE: The Chapter 13 Trustee herewith certifies that a copy of this motion has been served via first class mail on the same date it is filed to: the DEBTOR(s), and to her/his/their attorney through CM-ECF notification system.

In San Juan, Puerto Rico this January 25, 2011.

/s/ Jose R. Carrion

/s/ Mayra Arguelles -Staff Attorney

JOSE R. CARRION
CHAPTER 13 TRUSTEE
PO Box 9023884, San Juan, PR 00902-3884
Tel. (787) 977-3535 Fax (787) 977-3550

ma